



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

MAY 30 2002

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/021,692	12/12/2001	James E. Kipp	IDD 5657 CIP3

CONFIRMATION NO. 9772

FORMALITIES LETTER



OC00000007452091

Wallenstein & Wagner, Ltd.
311 S. Wacker Drive, 53rd Floor
Chicago, IL 60606-6630

TO DOCKETING

Date Mailed: 02/11/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$2112.
 - \$1944 for 108 total claims over 20.
 - \$168 for 2 independent claims over 3.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 2982.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- The specification contains drawings or flow diagrams (37 CFR 1.58(a)). Formal drawings in accordance with 37 CFR 1.81 should be submitted.

05/31/2002 CCHAU1 00000128 10021692

01 FC:101	740.00 OP
02 FC:103	1944.00 OP
03 FC:102	168.00 OP
04 FC:105	130.00 OP

A copy of this notice **MUST** be returned with the reply.

RECEIVED

FEB 19 2002

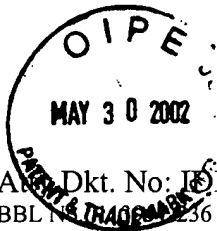
WALLENSTEIN & WAGNER LTD.

Haimanot Tegbaru

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 3 - OFFICE COPY



10021692 .053002

Att. Dkt. No: ISD-5657 CIP3
BBL N 1236

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application Of:)
James E. Kipp et al.)
For: METHOD FOR PREPARING)
SUBMICRON PARTICLE)
SUSPENSIONS)
Serial No.: 10/021,692)
Filed: December 12, 2001)
Examiner: Not yet assigned)
Art Unit: 1615)

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Office with sufficient postage as first class mail in an envelope addressed to: BOX MISSING PARTS, Commissioner for Patents, Washington, D.C. 20231 on May 23, 2002.


Robert J. Buccieri

REPLY TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION / FORMALITIES LETTER MAILED FEBRUARY 11, 2002

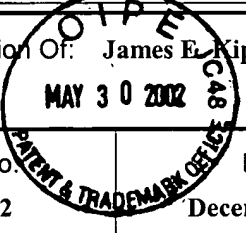
BOX MISSING PARTS
Commissioner for Patents
Washington D.C., 20231

Sir:

This is a reply to the Notice to File Missing Parts of Nonprovisional Application / Formalities Letter mailed February 11, 2002, with a shortened statutory response period of two (2) months from the mailing date, extended two months by Petition filed herewith. Accordingly, this reply is timely filed. A check in the amount of \$3,382 is enclosed herewith in payment of the filing fees for this application (\$2,982) and payment of the associated extension fees (\$400). The Commissioner is hereby authorized to charge any additional fees to Deposit Account number 02-1818.

Responsive to the Formalities Letter, Applicants hereby respectfully submit a replacement specification and separate drawings. With the exception of the Amendments below, and the separation of the drawing figures originally included within the specification as filed, this replacement specification is identical to the specification as originally filed on December 12, 2001. For the Examiner's convenience, in addition to the Amendments below, a marked up copy of the specification as originally filed is also enclosed. All amendments made herein are either

T.D #6 MNP

Response To Notice To File Missing Parts Of Application Filing Date Granted (PTO-1533)(Large Entity)			Docket No. IDD-5657 CIP3	
In Re Application Of: James E. Kipp et al. <div style="text-align: center;"></div>				
Serial No. 10/021,692	Filing Date December 12, 2001	Examiner Not yet assigned	Group Art Unit 1615	
Invention: METHOD FOR PREPARING SUBMICRON PARTICLE SUSPENSIONS				
<u>TO THE ASSISTANT COMMISSIONER FOR PATENTS:</u> <u>Box Missing Parts</u>				
This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on <u>February 11, 2002</u> <i>Date</i>				
Enclosed herewith for filing are the following:				
<div><input checked="" type="checkbox"/> A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). (REQUIRED)</div> <div><input type="checkbox"/> An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.</div> <div><input checked="" type="checkbox"/> A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date.</div> <div><input type="checkbox"/> An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.</div> <div><input type="checkbox"/> A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.</div> <div><input checked="" type="checkbox"/> Other (list):</div>				
<div style="border: 1px solid black; padding: 5px;">Reply to Notice to File Missing Parts of Nonprovisional Application/Formalities Letter Mailed February 11, 2002 (8 pgs); Replacement Specification (48 pages); Replacement Drawings (12 sheets; 18 figures); and Marked-up Copy of Specification as filed showing changes.</div>				

05/31/2002 CCH:AU1 00000128 10021692
05 FC:116 400.00 OP

cu

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.
IDD-5657 CIP3

In Re Application Of: James E. Klapp et al.

Serial No.
10/021,692

Filing Date
December 12, 2001

Examiner
Not yet assigned

Group Art Unit
1615

Invention: **METHOD FOR PREPARING SUBMICRON PARTICLE SUSPENSIONS**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

☒ Completion of application fees as calculated below:

- | | |
|---|-----------------------------|
| <input checked="" type="checkbox"/> Utility application filing fee | <u>\$740.00</u> |
| <input type="checkbox"/> Design application filing fee | <u> </u> |
| <input checked="" type="checkbox"/> Total number of independent claims = <u>5</u> | <u>\$168.00</u> |
| <input checked="" type="checkbox"/> Total number of claims = <u>128</u> | <u>\$1,944.00</u> |
| <input type="checkbox"/> Multiple dependent claims | <u> </u> |
| <input checked="" type="checkbox"/> Surcharge for late payment of filing fee and/or late filing of original declaration or oath | <u>\$130.00</u> |
| <input type="checkbox"/> Petition and fee for filing by other than all the inventors or a person not the inventor | <u> </u> |
| <input type="checkbox"/> Fee for processing an application filed with a non-English language specification | <u> </u> |
| <input type="checkbox"/> Fee for processing and retention of application | <u> </u> |

Total completion of application fees \$2,982.00

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☐ One month ☒ Two months ☐ Three months ☐ Four months ☐ Five months

from: April 11, 2002 until: June 11, 2002
Date Date

Total time extension fees \$400.00

Total fees due \$3,382.00

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533) (Large Entity)**

Docket No.
IDD-5657 CIP3

In Re Application Of: James E. Kipp et al.

MAY 30 2002

Serial No.
10/021,692

Filing Date
December 12, 2001

Examiner
Not yet assigned

Group Art Unit
1615

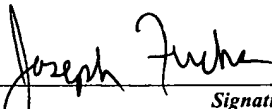
Invention: **METHOD FOR PREPARING SUBMICRON PARTICLE SUSPENSIONS**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

The fee of \$3,382.00 is to be paid as follows:

- ☒ A check in the amount of the fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 02-1818
A duplicate copy of this sheet is enclosed.
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 02-1818
A duplicate copy of this sheet is enclosed.


Signature

Joseph A. Fuchs, Reg. No. 34,604
BELL, BOYD & LLOYD LLC
P.O. Box 1135
Chicago, IL 60690-1135
Tel: (312) 807-4335

Dated: May 22, 2002

I certify that this document and fee is being deposited
on May 23, 2002 with the U.S. Postal Service as
first class mail under 37 C.F.R. 1.8 and is addressed to the
Assistant Commissioner for Patents, Washington, D.C.
20231.


Signature of Person Mailing Correspondence

Robert J. Buccieri

Typed or Printed Name of Person Mailing Correspondence

CC: